HON'BLE SRI JUSTICE V.V.S.RAO

WRIT PETITION No.10739 of 2007

Dated:12.06.2007

Between:

Kanumuri Pandu Ranga Raju.

…Petitioner

and

District Collector, Krishna District, and others.

…Respondents

HON'BLE SRI JUSTICE V.V.S.RAO

WRIT PETITION No.10739 of 2007

ORDER:

The petitioner statedly purchased land admeasuring Ac.1.74 cents in R.S.Nos.55 and 59 situated at Unikili Village of Mandavalli Mandal in Krishna District, in 1970, from different land owners. The petitioner is putting the land to use as fish tanks. The third respondent initiated action under the Andhra Pradesh Assigned Lands (Prohibition of Transfers) Act, 1977 (for short 'the Act'), and issued a show cause notice calling upon the petitioner to show cause as to why he should not be evicted from the assigned land for being in possession in contravention of the provisions of the Act. He submitted his explanation, *inter alia,* alleging that he purchased the property for valuable consideration and it is not an assigned land. Rejecting the claim of the petitioner, an order was passed by the third respondent for resumption of the land. The petitioner unsuccessfully filed an appeal under Section 4-A of the Act before the Revenue Divisional Officer, Gudivada, which was also dismissed. The petitioner then preferred a revision petition under Section 4-A(2) of the Act before the Joint Collector, Krishna. The same was dismissed by the Joint Collector on 20.02.2007. The said order is assailed in the Writ Petition.

Learned counsel for the petitioner submits that the land in R.S.Nos.55 and 59 is not the assigned land and that the order passed by the first respondent is without jurisdiction. **Opposing** the writ petition, learned Government Pleader for Revenue (Assignment) submits that after verifying the entire revenue record, the order came to be passed and that the land in R.S.Nos.55 and 59 is the assigned land, which was allotted to one Koganti Subbaiah, and therefore, the order does not suffer from any error.

After perusing the impugned order, this Court is convinced that

the petitioner purchased the assigned land, and therefore, the transaction under which he purchased the property is void as per Section 3(2) of the Act. The authorities were justified in resuming the land from the petitioner for contravention of the provisions of the Act. The impugned order does not suffer from any vice.

The Writ Petition is accordingly dismissed. No costs.

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(V.V.S.RAO, J)

12.06.2007

GJ